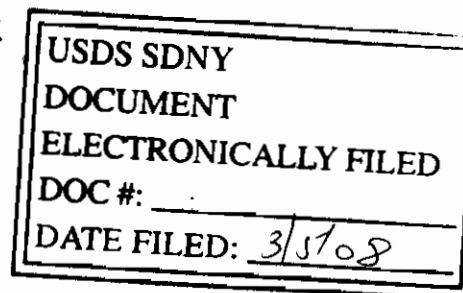


SULLIVAN, ST

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK



AFSHIN MONSEFI, Individually and on )  
Behalf of All Those Similarly Situated, )

Plaintiff, )

vs. )

ORION ENERGY SYSTEMS, INC., NEAL )  
R. VERFUERTH, DANIEL J. WAIBEL, )  
THOMAS A. QUADRACCI, MICHAEL J. )  
POTTS, DIANA PROPPER de CALLEJON, )  
JAMES R. CACKLEY, ECKHART G. )  
GROHMANN, PATRICK J. TROTTER, )  
THOMAS WEISEL PARTNERS, LLC, )  
CANACCORD ADAMS, INC., and PACIFIC )  
GROWTH EQUITIES, LLC, )

Defendants. )

Civ. No. 08-CV-1328 (RJS)

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ADMISSION OF SERVICE AND  
STIPULATION AND ORDER EXTENDING TIME

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WHEREAS Plaintiff served Defendant Orion Energy Systems, Inc. on February 13, 2008, which would require an Answer or responsive pleading to be filed on March 4, 2008; and

WHEREAS counsel for Plaintiff has requested that counsel for Defendants Neal R. Verfuert, Daniel J. Waibel, Thomas A. Quadracci, Michael J. Potts, Diana Propper de Callejon, James R. Cackley, Eckhart G. Grohmann and Patrick J. Trotter accept service of the Summons and Complaint on these Defendants' behalf;

WHEREAS the Parties wish to extend the time for Defendants to answer or otherwise plead to a date after anticipated motion practice.


THEREFORE:

1. Counsel for Defendants Neal R. Verfueth, Daniel J. Waibel, Thomas A. Quadracci, Michael J. Potts, Diana Propper de Callejon, James R. Cackley, Eckhart G. Grohmann and Patrick J. Trotter hereby accepts and admits service of the authenticated Summons and Complaint on behalf of the individual Defendants on the condition that all Defendants be granted additional time to answer or otherwise plead; and

2. The parties hereby stipulate that the time within which Defendants Orion Energy Systems, Inc., Neal R. Verfueth, Daniel J. Waibel, Thomas A. Quadracci, Michael J. Potts, Diana Propper de Callejon, James R. Cackley, Eckhart G. Grohmann and Patrick J. Trotter must answer or otherwise plead is extended to a date set by the Court or a date agreed upon by counsel for Defendants and lead counsel for Plaintiffs after the Court decides any motions for consolidation, appointment of lead plaintiff, and/or approval of lead counsel that may be filed in this and related matters, and that an Order to this effect may be entered by the Court without further notice of a hearing.

Dated: February 29, 2008

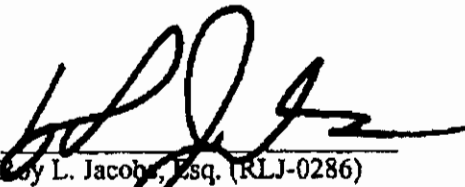
Respectfully submitted,

  
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POTTS, DIANA PROPPER de CALLEJON,  
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GROHMANN and PATRICK J. TROTTER

Dated 2/29, 2008

  
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**Attorneys for Plaintiff and the Class**

**SO ORDERED:**

  
Hon. Robert J. Sullivan  
District Judge

Date: March 3, 2008